

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 95-751-E - ORDER NO. 95-1376 ✓
JULY 24, 1995

IN RE:	Application of Carolina Power &) ORDER GRANTING
	Light Company for a Certificate of) CERTIFICATE OF
	Environmental Compatibility and) ENVIRONMENTAL
	Public Convenience and Necessity to) COMPATIBILITY
	Construct a 230 kV Transmission) AND PUBLIC
	Line and Substation in Dillon) CONVENIENCE AND
	County, South Carolina.) NECESSITY

This matter is before the Public Service Commission of South Carolina (the Commission) by way of the Application (Application) of Carolina Power & Light Company (the Company or CP&L) filed on May 2, 1995, seeking a Certificate of Environmental Compatibility and Public Convenience and Necessity (Certificate) under S.C. Code Ann. §58-33-10 to -430 (1976). CP&L seeks a Certificate to construct a 230 kV substation and approximately four (4) miles of 230 kV transmission line in Dillon County, South Carolina, north of the Town of Dillon.

Upon receipt of the Application, the Commission's Executive Director instructed the Company to cause to be published a prepared Notice of Filing and Hearing in newspapers of general circulation in the affected area in South Carolina. The Notice described the nature of the relief sought and provided general information on the manner in which interested parties might participate in the proceeding. The Company subsequently filed certain affidavits of publication indicating compliance with the instructions of the

Commission's Executive Director. Additionally, CP&L served a copy of the Application on all parties as required by S.C. Code Ann. §58-33-120 and 58-33-140 (1976). No Petitions to Intervene were filed with the Commission.

A public hearing was held on July 12, 1995, in the offices of the Commission. Len S. Anthony, Esquire, and William F. Austin, Esquire, represented the Company, and Florence P. Belser, Staff Counsel, appeared on behalf of the Commission Staff (Staff). At the hearing, J. David Smith, Regional Engineering Supervisor for CP&L's Southern Region, and Brenda E. Brickhouse, Environmental Coordinator in CP&L's Transmission Department, testified on behalf of the Company.

Upon full consideration of the Company's Application, the evidence and testimony presented at the hearing, and the applicable law, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. CP&L seeks a Certificate to construct a 230 kV substation and approximately four (4) miles of 230 kV transmission line, in Dillon County, South Carolina, on the north side of the town of Dillon. The proposed transmission line will tap the existing Dillon Maple 230 kV Tap Line and proceed north crossing primarily agricultural fields and across Interstate Highway 95 to line up with State Road 683 to the proposed Dillon North 230 kV Substation.

2. According to the Application and testimony, the area north of the town of Dillon near Interstate 95 is predominately industrial and is currently served by CP&L from the Dillon 115 kV

substation which is located over two (2) miles away on the opposite side of Interstate 95. Due to continued growth and recently announced industrial expansions, the existing facilities will not be able to adequately and reliably meet the summer electricity needs of this area after June 1996.

CP&L studied four (4) alternative methods to determine the most appropriate solution to these problems. CP&L considered increasing the capacity at the Dillon 115 kV substation by installing an additional 15 MVA transformer and building an additional feeder to serve the load north and west of Dillon; utilizing the capacity at the Rowland 230 kV and Dillon 115 kV substations; adding an additional 25 MVA transformer at the Dillon Maple 230 kV substation and building a new feeder to serve the load west of I-95; and building a 230 kV substation north of Dillon which is the alternative recommended by CP&L.

3. The proposed Dillon North 230 kV transmission project will require clearing approximately eleven (11) acres of forest. The proposed transmission project will not impact any known threatened or endangered species or any known archaeological or historical resources. The proposed transmission project was located to minimize wetlands impacts. The proposed transmission line corridor has fourteen (14) stream or ditch crossings and will cross one (1) drainage area. The hydrology will not be altered in these areas and no unauthorized fill or discharge will be made to any wetlands.

The proposed transmission project will be visible to the public from the road crossings. The proposed substation will be

landscaped using native species similar to the surrounding landscape. Along the proposed route, the proposed transmission line will blend with the surrounding landscape since the structures are made of corten steel. Additionally, the single-pole structures have a smaller visual impact than H-frame or other typical transmission structures.

4. Environmental and land use impacts of the project were minimized during the initial siting process. The proposed transmission line route follows a direct route, which will impact the least amount of land area.

5. Witnesses Smith and Brickhouse testified that the proposed project will conform to applicable State and local laws and regulations.

CONCLUSIONS OF LAW

1. S.C. Code Ann. §58-33-110 (1976) mandates that "[n]o person shall commence to construct a major utility facility without first having obtained a certificate issued with respect to such facility by the Commission." In relevant part, a major utility facility is defined as "[a]n electric transmission line and associated facilities of a designed operating voltage of one hundred twenty-five kilovolts or more...". S.C. Code Ann. §58-33-20(2)(b) (1976).

2. In determining whether to approve or disapprove an application for a Certificate of Environmental Compatibility and Public Convenience and Necessity, this Commission must follow the directives of S.C. Code Ann. §58-33-160 (1976). Section 58-33-160 specifies as follows:

The Commission may not grant a certificate for the construction, operation and maintenance of a major utility facility, either as proposed or as modified by the Commission, unless it shall find and determine:

- (a) The basis of the need for the facility.
- (b) The nature of the probable environmental impact.
- (c) That the impact of the facility upon the environment is justified, considering the state of available technology and the nature and economics of the various alternatives and other pertinent considerations.
- (d) That the facilities will serve the interests of system economy and reliability.
- (e) That there is reasonable assurance that the proposed facility will conform to applicable State and local laws and regulations issued thereunder, including any allowable variance provisions therein, except that the Commission may refuse to apply any local law or local regulation if it finds that, as applied to the proposed facility, such law or regulation is unreasonably restrictive in view of the existing technology, or of factors of cost or economics or of the needs of consumers whether located inside or outside of the directly affected government subdivisions.
- (f) That public convenience and necessity require the construction of the facility.

3. The Commission finds and concludes that there is a need for the proposed facility. As noted by the Application and the testimony of witness Smith, demand for electricity in the area west of Interstate 95 and north of the Town of Dillon served by the Dillon 115 kV substation is growing and has increased to the point that existing facilities will not be able to adequately and reliably meet the summer electricity needs of this area after June of 1996.

4. The Commission also concludes that the probable environmental impact of the proposed project is minimal. As noted by the Application and testimony of witness Brickhouse, the proposed project will not impact any known threatened or endangered species. Moreover, the transmission project was located to minimize wetlands impacts. The hydrology of the area of the transmission line corridor will not be altered and no unauthorized fill or discharge will be made to any wetlands.

5. The Commission concludes that the impact of the facility upon the environment is justified in consideration of the available technology even though the other alternatives considered may have had less environmental impacts. As noted above, the environmental impacts of the chosen project are minimal. Further, the selected project will improve reliability of service, reduce distribution line losses, and provide for future load growth in the area; results which the three other alternatives would not produce.

6. The Commission concludes that the proposed utility facilities will serve the interests of system economy and reliability. The Commission finds that the proposed project is the most economical solution to the reliability concerns for the service area north of the Town of Dillon.

7. Based upon the testimony of witnesses Smith and Brickhouse, the Commission is reasonably assured that the proposed facility will conform to applicable State and local laws and regulations.

8. The Commission concludes that, due to concerns of service reliability, public convenience and necessity requires the

construction of the facility.

Based upon each of these conclusions, the Commission grants CP&L's Application for a Certificate of Environmental Compatibility and Public Convenience and Necessity to construct the proposed facilities described by the Application.

IT IS SO ORDERED.


Chairman

ATTEST:


Executive Director

(SEAL)